

**Fair Treatment for Precious Metals Investors Act
(Introduced in Senate)**

S 1157 IS

109th CONGRESS
1st Session
S. 1157

To amend the Internal Revenue Code of 1986 to treat gold, silver, platinum, and palladium, in either coin or bar form, in the same manner as equities and mutual funds for purposes of the maximum capital gains rate for individuals.

IN THE SENATE OF THE UNITED STATES

May 26, 2005

Mr. CRAPO (for himself, Mr. REID, Mr. ALLARD, Mr. BAUCUS, Mr. CRAIG, and Mr. ENSIGN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to treat gold, silver, platinum, and palladium, in either coin or bar form, in the same manner as equities and mutual funds for purposes of the maximum capital gains rate for individuals.

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the `Fair Treatment for Precious Metals Investors Act'.

**SEC. 2. GOLD, SILVER, PLATINUM, AND PALLADIUM
TREATED IN THE SAME MANNER AS STOCKS AND BONDS
FOR MAXIMUM CAPITAL GAINS RATE FOR
INDIVIDUALS.**

(a) In General- Section 1(h)(5) of the Internal Revenue Code of 1986 (relating to definition of collectibles gain and loss) is amended--

(1) by striking `(as defined in section 408(m) without regard to paragraph (3) thereof)' in subparagraph (A), and

(2) by adding at the end the following new subparagraph:

` (C) COLLECTIBLE- For purposes of this paragraph, the term `collectible' has the meaning given such term by section 408(m), except that in applying paragraph (3)(B) thereof the determination of whether any bullion is excluded from treatment as a collectible shall be made without regard to the person who is in physical possession of the bullion.'.

(b) Effective Date- The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2004.